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Approved For Release 2006/10/19 : CIA-RDP87B01034R000100100029-2
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100-800/1
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August 21, 1978

Honorable Stansfield Turner
Director
Central Intelligence Agency
Washington, D.C. 20505

Dear Adm. Turner:

As you are aware, this subcommittee examined in July and August of 1975 the treatment by the Justice Department of criminal cases involving CIA personnel and claims of national security. At that time, the CIA had ended its reliance on a 1954 agreement with the Justice Department concerning what matters would and would not be referred to the Department.

The subcommittee has maintained its interest in this matter of referrals to the Department and in the somewhat broader question of the procedures and dangers of using national security information at criminal trials. We received earlier this year your January 28, 1978 letter to Attorney General Bell setting out your present understanding on referrals of matters involving CIA employees.

To the extent possible at a public hearing, we want now to explore the CIA's and Justice Department's experience with current procedures concerning case referrals and decisionmaking on whether security information can be made available for trial. We have noted several very recent cases concerning security information. We wish also to explore whether provisions of the Freedom of Information Act that permit in-camera court inspection of security material for a determination of the propriety of its classification may suggest an analogous procedure useful for some security questions at trial.

Accordingly, we invite the CIA to testify at a subcommittee hearing scheduled for September 12, 1978. Because of his position and our understanding that he is particularly well versed in this

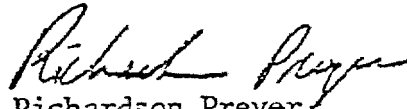
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area, we wish to have General Counsel Anthony Lapham appear with you, or on your behalf, as a witness if that is agreeable. Please contact Timothy Ingram or Richard Barnes of the subcommittee staff concerning details of this hearing.

Cordially,


Richardson Preyer
Chairman

Enclosure
(1975 Hearings)

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